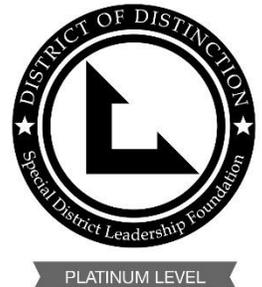




# TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

**SDLF Platinum-Level of Governance**



President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Michael Callahan • Director – Carolyn Graham

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY  
Wednesday June 16, 2021,  
REGULAR MEETING 7:00 P.M.**

**NOTICE**  
**Coronavirus COVID-19**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

**TO ATTEND BY TELECONFERENCE:**  
Toll-Free Dial-In Number: (877)778-1806  
CONFERENCE CODE **891949**

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

**REGULAR MEETING 7:00 P.M.**

**A. ROLL CALL AND PLEDGE OF ALLEGIANCE**

1. Call business meeting to order 7:02 p.m. – By President Bryon Gutow.
2. Pledge of Allegiance – Led by President Bryon Gutow.
3. Roll Call – All present, Director Ashley Porter and Vice President Kevin Graves participated via telephone.

**B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)**

None.

**C. CONSENT CALENDAR**

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve June 2, 2021, Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.
3. Approve the Extension of Luhdorff and Scalmanini Contract Engineers for Services into FY 2021-2022.
4. Approve the Extension of HERWIT Engineering Contract for Services into FY 2021-2022.
5. Annual Discovery Bay Lighting and Landscape Zone #8 Appropriations Limit for FY 2021/22 – Adopt and Approve Resolution No. 2021-10.

Motion made by Director Carolyn Graham to approve items on the Consent Calendar as presented.

Second by Director Michael Callahan.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

**D. AREA AGENCIES REPORTS / PRESENTATION**

**E. PRESENTATIONS**

1. Monthly Water and Wastewater Report from Veolia – May 2021.

Veolia Project Manager Anthony Harper advised of reports which have been submitted to the state as required. He provided the Board with a summary of safety training his department has participated in. All

wells are currently operational with Well 5 ready to use in an emergency situation. All lift stations are currently active. Wastewater Plant No.1 is non-operational. Veolia Project Manager Harper advised the Board of community members approaching his team while performing work on Lift Station E during the night. He was happy to see this member of the community comfortable enough to approach and ask questions. Veolia Project Manager Harper stated he encourages questions from the public and is happy to communicate with the community. Excessive winds caused solar panels at Wastewater Plant No. 2 to be blown off, but since have been ordered and will be repaired shortly. President Bryon Gutow asked if the radio tower failure was due to high winds. Veolia Project Manager Harper confirmed.

**F. BUSINESS AND ACTION ITEMS**

1. Discussion and Possible Action to Adopt the Fiscal Year 2021-22 District Operating, Capital and Revenue Budgets and Resolution 2021-07.

Finance Manager Julie Carter presented the Fiscal Year 2021-22 District Operating, Capital and Revenue Budgets to the Board. The hearing for this adoption has been posted on the East County Times for public notice. Finance Manager Julie Carter advised there were a couple of adjustments to the expenditures due to increase in invoiced amounts from Special District Risk Management Authority and the water engineering contract. Staff recommends the approval of Resolution 2021-07 to adopt the Fiscal Year 2021-22 District Operating, Capital and Revenue Budgets.

No comments from the public during the Public Hearing.

Motion made by Director Carolyn Graham to accept the budget and move Resolution 2021-07.

Second by Vice President Kevin Graves.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

2. Discussion and Possible Action Regarding the Town of Discovery Bay Communications Placard.

Assistant General Manager Dina Breitstein presented two options for a placard to establish a standardized template to present communications to the public. Board was asked to select an option for approval.

Director Michael Callahan advised preference for the image with the superscript.

Director Carolyn Graham, Director Ashley Porter and Vice President Kevin Graves advised they would go with the majority vote.

Motion made by Director Michael Callahan to approve placard option with superscript.

Second by Director Carolyn Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

3. Discussion and Possible Action to Approve the Notice of Completion and Final Payment for the Construction of the Ravenswood Park Playground Structure.

Assistant General Manager Dina Breitstein advised the Board that the playground structure at Ravenswood Park has been fully installed. The final cost of the installment for the play structure was lower than anticipated, saving the Town \$2,000. Notice of Completion will be filed with the county. Request for final payment to McNabb Construction was presented to the Board.

Board commented on compliments the community has been giving regarding the Ravenswood play structure.

Motion made by President Bryon Gutow to move forward with final payment to McNabb Construction.

Second by Director Carolyn Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

4. Discussion and Possible Action to Approve One (1) Vote to Elect a Candidate to the CSDA Board of Directors.

General Manager Mike Davies advised that as a member of the Community Services Districts Association Bay Area Network, Town of Discovery Bay is entitled to vote for one (1) candidate seeking election to the CSDA Board. After reviewing the candidates, it is recommended that incumbent Chad Davisson receive Town of Discovery Bay's vote. Chad Davisson is the General Manager at Iron House Sanitation District and the Town has a positive working relationship with them. The deadline to vote is July 16, 2021, at 5:00 p.m. Staff requests authorization for General Manager Mike Davies to cast a vote for candidate Chad Davisson for CSDA Board of Directors, Seat A – Bay Area Network – Term 2022-2024.

Motion made by Director Michael Callahan accept staff's recommendation to issue vote for Chad Davisson.

Second by Director Carolyn Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

5. Discussion and Possible Action to Approve an Amended and Restated Pre-Annexation Agreement Between the Town of Discovery Bay and Pantages at Discovery Bay, LLC, et al.

General Manager Mike Davies advised the Board that Pantages Group has revisited its plan to establish a deep water community in Town of Discovery Bay. Due to the difficulty in obtaining permits, this project has been abandoned and a new project has arisen to create trails, parks and possibly a clubhouse in the same location. Pantages Group will bring this plan to Contra Costa County officials for approval. General Manager Mike Davies advised the Board that this will require a revision to our PreAnnexation agreement with

Pantages Group. He stated Town of Discovery Bay Community Service District has a great working relationship with Pantages and is excited to continue to benefit one another with this new project. General Manager Mike Davies outlined some changes to the agreement including the requirement for Pantages to create a homeowner's association responsible for upkeep or to coordinate with Contra Costa County for maintenance of this development. Trevor Smith and Mark Armstrong from Lazares Group were available on the teleconference to answer questions.

Trevor Smith, Vice President advised the Board that he is looking forward to being good neighbors and continuing the strong relationship his company holds with Town of Discovery Bay.

Director Carolyn Graham asked when the groundbreaking is scheduled for.

Trevor Smith advised they currently have one contractor in the process of completing a contract and is hoping to begin in late 2022 or early 2023.

President Bryon Gutow congratulated Mr. Smith in this advancement and thanked him for the opportunity to continue growth in Town of Discovery Bay. He asked if there would be multiple builders contracting.

Trevor Smith stated that at this point, only one builder is being considered.

General Manager Mike Davies praised Lea Castleberry (Rodriguez) for her diligence and attentiveness in being an instrumental contributor to this project.

Motion made by Director Carolyn Graham to approve Amendment and Restated PreAnnexation Agreement with Pantages.

Second by President Bryon Gutow.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

6. Discussion and Possible Action to Approve Annual Assessment for the Ravenswood Improvement District – Discovery Bay Lighting and Landscape Zone 9 for the Fiscal Year 2021-2022, Accept Engineer's Report and Adopt Resolution No. 2021-11.

Finance Manager Julie Carter advised the Board of the completion of the Annual Assessment for Ravenswood. Herwit Engineering has done a financial assessment and determined that the per parcel assessment should be \$742.04. Staff is seeking Board acceptance of the Herwit Engineering report, adoption of Resolution 2021-11 and authorization to schedule a public hearing regarding the intent to levy and collect annual assessment.

Motion made by Vice President Kevin Graves to accept the engineer's report and adopt Resolution 2021-11.

Second by Director Carolyn Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

7. Discussion and Possible Action Regarding the Operation of the Ravenswood Park Splash Pad.

General Manager Mike Davies discussed the operation of the Ravenswood Splash Pad. With summer heat and a statewide drought, staff is seeking direction from the Board regarding the option to operate the Ravenswood Splash Pad or to keep it out of use. General Manager Mike Davies advised that a little over a million gallons of water that are not in a recirculating system are used each summer season. The cost to put the water used in a recirculating system is in approximately \$100,000-150,000.

Recreation Program Supervisor Monica Gallo advised that in the past the Splash Pad has been on an operational schedule of 10:00 a.m. to 7:00 p.m. seven days a week.

Board discussed the importance of providing this outlet for families to enjoy the summer.

Director Ashley Porter questioned if there are currently any mandated restriction for local water usage.

General Manager Mike Davies advised he is not aware of any in this county at the moment.

Director Michael Callahan recommended the Town should take advantage of the lack of water restriction in Town of Discovery Bay while it is possible.

Vice President Kevin Graves stated he would like staff to obtain a firmer option regarding repurposing water. He proposed the possibility of reducing hours of operation.

Director Michael Callahan modified the motion to establish Splash Pad hours as 11:00 a.m. to 7:00 p.m. seven days a week.

Director Ashley Porter second the motion.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

## **G. MANAGER'S REPORT**

## **H. GENERAL MANAGER'S REPORT**

1. Park, Recreation and Landscape Update.

Recreation Program Supervisor Monica Gallo advised of park updates. Poe Drive has had some enhancements. Planning for fence rails at Ravenswood continues. Discovery Bay Boulevard corners are complete. Reclamation 800 has completed their levy work which will allow the town to start landscaping on Sand Point Road and Seal Way as well as the last section of Discovery Bay Boulevard. There is an irrigation leak under the sidewalk on Discovery Bay Boulevard that needs repairs.

Director Michael Callahan asked if the Town owns the land on the corner of Willow Lake Road and

Discovery Bay Boulevard.

General Manager Mike Davies advised that corner is not Town of Discovery Bay property.

Recreation Program Supervisor Monica Gallo advised the pool hardscaping project is going to go out for bidding on July 7, 2021.

Recreation Program Supervisor Monica Gallo advised there are issues with the front entrance lights and their router connection.

Janitorial services are going to start up again for Cornell Park. Bathrooms are not sanitized daily and signs stating that are posted.

Recreation Program Supervisor Monica Gallo advised that work continues on the Proposition 68 Per Capita Grant.

General Manager Mike Davies updated the Board on openings since COVID-19 restrictions have been lifted. Cornell Park is fully open. Town Office is open and face masks are required until stated otherwise by The Division of Occupational Safety and Health, CalOSHA. If a member of the public is not wearing a face mask, they will be asked to wait outside and staff will assist them through the closed door. Community Center building is also open to the public during the hours of 7:30 a.m. to 6:30 p.m. Monday through Friday and entrance to the Community Center requires a face mask be worn. The bathrooms in the Community Center are open to the public with one bathroom being reserved for staff.

General Manager Mike Davies stated janitorial services will be scheduled twice a week for the Town Office, Community Center building and Cornell Park once a contract is obtained.

Seasonal staff is being hired and hours of the Community Center building on the weekends will be contingent on staff availability.

Public is being informed and updated through the Town's website and the Town's Facebook page.

Director Carolyn Graham asked if the Town has used portable restrooms in the past.

General Manager Mike Davies advised portable restrooms have only been used during events at the Community Center grounds.

Director Michael Callahan requested to have the Town's electronic sign direct the public to review Town of Discovery Bay website and Facebook for the most current information.

**I. DIRECTORS' REPORTS**

**J. DIRECTOR'S TRAINING**

**K. DIRECTOR'S REGIONAL MEETING REPORTS**

1. Transplan Committee Meeting attended by Director Carolyn Graham. Routes are being reviewed to grant access from Brentwood to I-580 and to I-205. This project is hoping to improve traffic congestion and commencement of construction is scheduled for 2029.
2. Vice President Kevin Graves advised he attended an ECCFPD meeting and will be submitting a written report to present at the next Board meeting.

**L. CORRESPONDENCE RECEIVED**

**M. FUTURE AGENDA ITEMS**

**N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA**

(Government Code Section 54957.7) Closed session commenced at 8:04 p.m.

**O. CLOSED SESSION:**

**1. THREAT TO PUBLIC SERVICES OR FACILITIES**

Consultation with: [General Counsel, Mike Davies, General Manager, Dina Breitstein, Assistant General Manager, Justin Shobe, PE Luhdorff & Scalmanini, Consulting Engineers]

**P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION**

(Government Code Section 54957.1) Closed session concluded with no reportable action.

**Q. BUSINESS AND ACTION ITEMS**

**R. ADJOURNMENT**

1. Adjourned at 8:34 pm to the regular meeting on July 7, 2021, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required

by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting.”

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."